

**SUFFIELD ZONING AND PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
January 26, 2009**

**Present:**                   **Mr. Frank E. Bauchiero, Jr., Chairman**  
                                  **Mr. Chester Kuras, Vice Chairman**  
                                  **Mr. John O’Malley, Secretary**  
                                  **Mr. John Conley, Jr.**  
                                  **Mr. Jeffrey Carboneau, Alternate**  
                                  **Mr. Mark Winne, Alternate**  
                                  **Mr. Charles Sheehan, Alternate**  
                                  **Mr. Frank Ravenola**  
                                  **Mr. Glen Vincent**

**Also Present:**           **Mr. Bill Hawkins, Town Planner**  
                                  **Mr. Jim Taylor, Zoning Enforcement Officer**  
                                  **Mr. Gerry Turbet, Town Engineer**  
                                  **Attorney Carl Landolina**  
                                  **Mrs. Karen Doyon, Administrative Secretary**

**I.       ROLL CALL**

Chairman Bauchiero called the meeting to order at 7:03 p.m. and asked the Administrative Secretary to take a silent roll call; he recognized Mr. Hawkins, Mr. Taylor, and Mr. Turbet as being present. Secretary O’Malley read into the record the legal notice which was advertised in the Hartford Courant on January 15, 2009 and January 22, 2009.

Chairman Bauchiero asked for a motion to take an item out of order in the agenda [from New Business], vote on accepting the application and set the public hearing date for File # 54-2008 prior to going into Executive Session. Mr. Ravenola made the motion to take File # 54-2008, proposal from Suffield Zoning and Planning Commission to amend the Town of Suffield Zoning Map, out of order, accept the application and set the public hearing date for February 23, 2009 regular meeting date, seconded by Mr. Conley. With no discussion the motion was approved, 6-0-0. This prompted some people in the audience to speak with regards to that application. Chairman Bauchiero announced to the public that they cannot be heard at this time because the application has been accepted and approved for a public hearing. Comments can be expressed at the public hearing only. In response to continuing comments from the audience Attorney Landolina requested permission from the Chair to speak, after which he reiterated from a legal aspect why public input cannot be heard at this time.

**II.       EXECUTIVE SESSION**

Mr. Conley made the motion to take Attorney Landolina’s item out of Informal Discussion and go into Executive Session at 7:08 p.m. to discuss litigation between Suffield Zoning and Planning Commission and TDN Properties, LLC, located at 1160 South Street, Suffield, seconded by Mr. Ravenola. The motion was approved, 6-0-0.

At 7:25 p.m. the Commission came out of Executive Session with no votes taken. Mr. Ravenola made the motion to set a [special meeting] public hearing date for March 2, 2009, regarding the site plan review with TDN Properties, LLC, located at 1160 South Street, seconded by Secretary O’Malley. The motion was approved, 6-0-0. *After the motion was approved Attorney Landolina left the meeting of the Planning and Zoning Commission.*

**III.       INFORMAL DISCUSSION**

Request from Rowland Dowd to discuss Flexible Residential Development (FRD), for possible subdivision, located at Mapleton Avenue.

Mr. Dowd introduced his daughter Robin Zatony and asked permission from the Chairman if she could speak. Ms. Zatony handed out a Memorandum dated January 26, 2009 to the Commission members and gave a brief synopsis; during which Mr. Dowd passed out photos of old and new homes depicting the look they are proposing to build off of Mapleton Avenue within a cluster housing concept. Ms. Zatony said they are proposing to build 15 new/old homes on 15 new/old building sites around a “town green” utilizing a ½ mile Health Path around the perimeter as open space; she also noted that the proposed subdivision would have a Town road. Mr. Dowd said that he had met with staff on several occasions to discuss his proposal. Mr. Dowd said that the proposal does not fit the Flexible Residential Development [FRD] in Section VI of the Zoning Regulations, in which the density calculation would not allow more than ten [10] houses after going through the FRD calculations, whereas Mr. Dowd is proposing fifteen [15] which calls for reducing the lot size. Mr. Dowd asked that the Commission review the proposal in view of the regulations, and get back to him. The Commission responded by saying that they will take Mr. Dowd’s matter under consideration.

#### IV. PUBLIC HEARINGS

**File # 50-2008: Request from Daniel Carnevale for 10-lot Subdivision called Cassotta Lane, located off Thompsonville Road, Suffield; Map 75H, Block 45, Lot # 121. Applicant: Daniel Carnevale.** Chairman Bauchiero shared a letter with the Commission that was received from J.R. Russo & Associates, LLC, dated January 19, 2009, requesting an additional extension be granted for the Cassotta Lane Subdivision so that it may be continued to the next regularly scheduled meeting on February 23, 2009. Mr. Ravenola made the motion to continue File # 50-2008 to the February 23, 2009, regular meeting date, seconded by Mr. Conley. With no discussion the motion was approved, 6-0-0.

**File # 52-2008: Request from 222 Mountain Road, LLC for Special Permit to build a Commercial Office Building, located at 228 Mountain Road, Map 24H, Block 30, Lot(s) # 129 – 131. Applicant: 222 Mountain Road, LLC.** Representing the applicant were Attorney Joseph Flynn of Alfano and Flynn; Engineer, Nat Sreenath, of Sreenath Associates; Architect Bobby Sobiniski, of SD Architects; and Principal Elzear Roy. Attorney Flynn said he attended staff meetings which resulted in revised plans, dated January 20, 2009. He reported that the Zoning and Planning Commission approved the site plan [for the free cut which created enough frontage for a second lot, Lot A, 228 Mountain Road] at the August 18, 2008 regular meeting; and at the December 15, 2008, meeting ZPC changed the zone from Neighborhood Commercial [NC], to Town Center Village District [TCVD] zone. The proposal is to build a ten thousand [10,000] square foot commercial office building which conforms to the TCVD zone requirements. Attorney Flynn reported approval from the Water Pollution Control Authority dated December 11, 2008, and approval from the Design Review Board [DRB], with three [3] recommendations. He reported approval from the Connecticut Water Company dated, January 26, 2009. Attorney Flynn reported that the applicant had submitted new landscaping plans, along with a sketch of what their proposed sign would look like, all of which are in compliance with the Zoning Regulations. Attorney Flynn stated that he received copies of the Town Planner and Town Engineer’s reports and had no problems with accommodating with their recommendations. He briefly discussed the proposed driveway and the minutes of the DRB, which prompted a lengthy discussion about the DRB’s recommendation of adding dormers. Secretary O’Malley asked if the sidewalk to the south of the proposed building will have adequate site distance for traffic entering and exiting, especially when children are walking to and from school. Mr. Sreenath said there is a stop sign shown on the plans for vehicles exiting the parking lot. Chairman Bauchiero asked the members if they had any questions, with none, he asked Mr. Hawkins to read his report.

Mr. Hawkins read from his report dated January 20, 2009, addressed to the Zoning and Planning Commission, beginning with an affirmation that he reviewed the application in its entirety. He continued to report on the following:

1. Existing Conditions;
2. Proposed Conditions;
  - Lot Configuration
  - Parking/Loading
  - Utilities
  - Lighting

- Landscaping/Screening
  - Drainage
3. **Analysis;**
    - Lot Configuration
    - Parking/Loading
    - Lighting
    - Landscaping/Screening
  4. **Considerations.**

Mr. Hawkins reported that the photometric plans need to be submitted for the wall-mounted lights and the landscape plans need to be added to the plans. Attorney Flynn briefly discussed the procedure for the “Draft” Deed for 228 Mountain Road. With nothing further, Chairman Bauchiero asked Mr. Turbet to read his report.

Mr. Turbet read from his first [1<sup>st</sup>] report dated January 22, 2009, addressed to the Zoning and Planning Commission, beginning with a general description of what the site plan proposes. He stated the site plan proposes a ten thousand [10,000] SF office building, two [2] stories with a 39 car parking lot on the two [2] front lots acquired by the applicant and incorporated into the Bright Horizon Daycare lot. His report read that the proposed building plans include parking areas on the east side and rear of the building with access to Mountain Road along with a half loading space, sidewalks, lighting and plantings. Mr. Turbet continued by reporting on the following:

1. **Site Access;**
2. **Parking and Loading Areas;**
3. **Drainage;**
4. **Outdoor Lighting;**
5. **Soil Erosion and Sediment Control;**
6. **Conclusion.**

Mr. Turbet read from his second [2<sup>nd</sup>] report dated January 27, 2009 [Mr. Turbet asked that the date of his report be changed to read January 26, 2009.] Mr. Turbet said he received an email [dated 1/23/09] from the Deputy Fire Marshall concerning the site meeting the turning radius requirements of Town fire apparatus. Mr. Turbet recommended improving vehicle movement on the site by increasing the radius of the curbed peninsula by the northeast corner of the building. Secretary O’Malley had a brief question about the dumpster, which Mr. Turbet answered. With nothing further, Chairman Bauchiero opened up the floor to those in favor of the application. Mr. Robert Parks, of 30 Barry Place had a question about the TCVD zone, and he asked if the office building is for commercial offices only or could any of the space be used for retail? He also asked about class C screening between the Bright Horizons Building and 228 Mountain Road, and screening between the Suffield Middle School and 228 Mountain Road. Attorney Flynn answered the questions for Mr. Parks to his satisfaction. Chairman Bauchiero opened up the floor to those opposed of the application, with none; the public hearing was closed at 8:21 p.m.

**File # 53-2008: Request from Daniel & Francesca Hinckley for a 2-lot Resubdivision (Hinckley Subdivision), located at 1510 Hill Street, Map 27, Block 28, Lot # 61. Applicant: Daniel Hinckley.** Mr. Hinckley reported that his Surveyor was not able to make this evenings meeting, and that he would like the Commission to consider his application for a 2-lot resubdivision on Hill Street. After reviewing the application Chairman Bauchiero reported that the applicant received approval from North Central District Health Department on March 14, 2008, and approval from the Conservation Commission on September 4, 2008. Chairman Bauchiero reported that waivers are being requested for street lighting, Section 402[k]; street sidewalks, Section 904; and street gutters and curbs, Section 904, because none of these improvements presently exist in the area. Mr. Hinckley reported that he had met with staff and all the items in question at the meeting have been completed and new plans have been submitted as a result, date stamped January 20, 2009. The members had no questions for the applicant therefore Chairman Bauchiero asked Mr. Hawkins to read his report.

Mr. Hawkins read from his report dated January 20, 2009, addressed to the Zoning and Planning Commission, beginning with the affirmation that he had reviewed the application in its entirety. He continued to report on the following:

- 1. Existing Conditions;**
- 2. Proposed Conditions;**
  - Lot Configuration
  - Open Space
  - Utilities
  - Waivers
  - Drainage
- 3. Analysis;**
  - Lot Configuration
  - Open Space
  - Utilities
  - Waivers
- 4. Considerations.**

Chairman Bauchiero asked the members if they had any questions, with none, the Chair asked Mr. Turbet to read his report.

Mr. Turbet read his report dated January 21, 2009, addressed to the Zoning and Planning Commission, beginning with his site distance report, which he said was in compliance. Mr. Turbet gave a general description of the application reporting that the lot totals a little over 12 acres with the proposal to divide it into two [2] residential lots, identified as Lot 1 [1.44 acres] and Lot 2 [10.83 acres]. Each new lot would be served by septic system and private well with NCHD approval letter on file. He reported that a preliminary meeting was held at the ZPC office on January 15, 2009 to discuss review comments with the applicant and surveyor. He went on to discuss the following:

- 1. Submittals;**
- 2. Field Inspection;**
- 3. Subdivision Plan**
- 4. Driveways;**
- 5. Drainage and Grading;**
- 6. Water supply and Sanitary Sewer**
- 7. Waivers;**
- 8. Recommendations.**

There was a brief discussion on the placement of iron pins on the resubdivision plans prior to filing. With no questions from the members, Chairman Bauchiero opened up the floor to those in favor and/or opposed of the application. With none, the Chair closed the public hearing at 8:31 p.m.

***To consider placement of sign by Suffield Academy, location at 62 Mountain Road.*** Chairman Bauchiero asked Mr. Taylor to explain the purpose of Suffield Academy's request. Mr. Taylor explained that Suffield Academy came to him with an application for a free standing twelve [12] square foot sign to be placed at 62 Mountain Road; the First Church cemetery is located to the east and a property owned by Joyce Pemberton is located to the west. Mr. Taylor explained that applications of this nature need the approval of ZPC, but he strongly proposes that the Commission allow his office to process the applications for several reasons: it would keep fees down; and it would spare the Commission and the applicant time in processing the request. He confidently affirmed that his office is familiar with the process to approve sign applications and he is willing to accept the added duty. The Commission concurred with Mr. Taylor's proposal and asked Mr. Taylor to process any applications of this nature from this point on. After which Mr. Taylor passed around a photo of the proposed sign for Suffield Academy, during which he described the materials, and lettering to be used which is in total compliance according to the Zoning Regulations. Mr. Taylor said after full review of the application and affirming that everything is in order, he would like the Commission to consider

an approval. Chairman Bauchiero asked the members if they had any questions, with none, the Chair asked for a motion. Mr. Ravenola made the motion to approve the free standing twelve [12] square foot sign, located at 62 Mountain Road for Suffield Academy, seconded by Mr. Conley. With no discussion the motion was approved, 6-0-0.

## V. NEW BUSINESS

**File # 55-2009: Special Permit Request from Somerset Farm, LLC, for a Farm Stand Permanent per Section V: Special Regulation, located at 709 Mountain Road, Map 21H, Block 26, Lot #5. Applicant: Somerset Farm, LLC.** Chairman Bauchiero asked Mr. Taylor if he had any comments with regards to this application. Mr. Taylor said that this is the first application before the Commission for a Permanent Farm Stand since the regulation change on 11/17/08. With nothing further Chairman Bauchiero asked for a motion. Mr. Ravenola made the motion to accept the application File # 55-2009 for a special permit request for a Farm Stand Permanent for 709 Mountain Road, and set the public hearing date for March 16, 2009 regular meeting date, seconded by Mr. Conley. With no discussion the motion was approved, 6-0-0.

## VI. OLD BUSINESS

**File # 52-2008: Request from 222 Mountain Road, LLC for Special Permit to build a Commercial Office Building, located at 228 Mountain Road, Map 24H, Block 30, Lot(s) # 129 – 131. Applicant: 222 Mountain Road, LLC.** After a lengthy discussion on the recommendations from the Design Review Board, Chairman Bauchiero asked for a motion. Mr. Ravenola made the motion to approve File # 52-2008 request from 222 Mountain Road, LLC for a special permit to build a Commercial Office Building at 228 Mountain Road with the following conditions:

1. File a deed in the land records for moving the westerly lot line so that the building meets the required side yard setback before the plans are signed;
2. A photometric plan and manufacturer's information for wall mounted lights, if proposed, should be provided to the Zoning Officer or Town Planner before the plans are signed;
3. Landscape plans are added to the set of plans submitted for the proposed building before the plans are signed.
4. Increase the radius of the curbed peninsula by the northeast corner of the building;
5. Design Review Board Meeting dated January 21, 2009, conditions were accepted except for number one (1) – as noted in their meeting minutes;
6. Moderate screening in agreement with applicant located on the westerly side of building.

Seconded by Mr. Conley. With no discussion the motion was approved, 6-0-0.

**File # 53-2008: Request from Daniel & Francesca Hinckley for a 2-lot Resubdivision (Hinckley Subdivision), located at 1510 Hill Street, Map 27, Block 28, Lot # 61. Applicant: Daniel Hinckley.** Chairman Bauchiero asked the members if they had any questions or concerns. With none, Mr. Ravenola made the motion to accept File # 53-2008, request from Daniel & Francesca Hinckley for a 2-lot resubdivision (Hinckley Subdivision), located at 1510 Hill Street with the request for waivers of sidewalks according to Section 904, curbs and gutters according to Section 904, and streetlights according to Section 918, seconded by Secretary O'Malley. With no discussion the motion was approved, 6-0-0. Mr. Ravenola made the motion to approve File # 53-2008 with the following conditions:

1. A fee-in-lieu of \$3,000 for each proposed lot being created.
2. Standard subdivision conditions of approval 1-13 apply where pertinent.
3. The first twenty (20) feet of each driveway apron should be paved to satisfy the requirement of Section III.1.g. Each driveway apron shall be graded to prevent street drainage from entering it.
4. Approved subdivision plans should not be signed until all iron pins (IP's) proposed on the subdivision are set.
5. With regard to the south side of Lot 2, if the ditch is shown to take street drainage, then proposed grading observed during plot plan development shall not disrupt this pattern of drainage flow.

Seconded by Mr. Conley. With no discussions the motion was approved, 6-0-0.

## VII. REPORTS

**Chairman-** Chairman Bauchiero said he had no reports, but was asked by Mr. Carboneau if he could have a few minutes of the member's time. Mr. Carboneau wanted to make aware to the Commission that he has taken a job out of state and he and his family will be moving sometime in June of this year. He said he will be sending the Commission a letter of resignation; he said it's been a pleasure serving with all the members, and its been a pleasure serving the Commission.

Chairman Bauchiero implored that the members take a close look at the proposed zone map change before next months meeting. Mr. Hawkins said he will email all the members a map highlighting the proposed zone changed areas.

**Town Planner-** Mr. Hawkins had the following information to bring the Commission members up to speed on the Plan of Conservation:

- Received nine [9] proposals [at end of December]
- Has put together a Steering Committee
- The Steering Committee has narrowed down to four proposals [4] to interview

Mr. Hawkins discussed options for funding the Plan of Conservation which he said it could be funded with state grant funds, known as Local Capital Improvement [LoCIP] Grant, the budget process [Board of Selectmen], or the Steering Committee and the Zoning and Planning Commission could oversee the project. Mr. Hawkins will be discussing the Plan of Conservation in the upcoming Board of Selectman and Board of Finance meeting on February 4<sup>th</sup> and the 9<sup>th</sup>. Mr. Winne who is a member of the Steering Committee said that the Committee would not take on the task of putting together the Plan of Conservation if the Finance Committee does not finance the proposal, after which there was a brief discussion. Mr. Winne also mentioned that other towns go outside of their Committees to get consultants. After which there was a brief discussion on the financing of the project.

With nothing further, there was a brief discussion on the information brought before them under the Informal Discussion, stating that staff would meet with Mr. Dowd and prepare a report before the next February 23<sup>rd</sup> meeting.

## VIII. MINUTES– December 15, 2008, Regular Meeting Minutes

Chairman Bauchiero asked the members if they had any changes, comments or concerns with regards to the meeting minutes, at which the members said they did not. The Chair asked for a motion. Vice Chairman Kuras made the motion to approve the December 15, 2008, regular meeting minutes, seconded by Mr. Conley. With no discussion the motion was approved, 6-0-0.

## IX. ADJOURNMENT

Chairman Bauchiero made the motion to adjourn the January 26, 2009 regular meeting at 9:37 p.m., seconded by Mr. Ravenola. With no discussion the motion was approved, 6-0-0.

Respectfully Submitted,

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John O'Malley, Secretary

cc: Assessor, Building Official, Conservation Commission, Economic Development Director, Selectmen, Town Clerk, Town Engineer, Zoning Enforcement Officer, Commission Counsel, File